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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/751,747
		Filing Date	January 5, 2004
		First Named Inventor	Motoyoshi, M.
		Group Art Unit	2818
		Examiner Name	Huynh, A.
Total Number of Pages in This Submission	3	Attorney Docket Number	09792909-5781

ENCLOSURES (check all that apply)						
<input checked="" type="checkbox"/> Transmitted herewith is response to office action dated April 14, 2005						
<input checked="" type="checkbox"/> The fee has been calculated as shown below:						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3)	(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	5	-	20		<input type="checkbox"/> x \$200.00 <input type="checkbox"/> x \$100.00	\$
INDEPENDENT CLAIMS	1	-	3		<input type="checkbox"/> x \$50.00 <input type="checkbox"/> x \$25.00	\$
APPLICATION AMENDED TO CONTAIN ANY MULTIPLE DEPENDENT CLAIMS NOT PREVIOUSLY PAID FOR.				<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> x \$360.00 <input type="checkbox"/> x \$180.00 ONE TIME	\$
					TOTAL ADDITIONAL FEE FOR THIS AMENDMENT	\$
<input checked="" type="checkbox"/> Applicant petitions the Commissioner for Patents to extend the time for responding to the Office Action dated <u>April 14, 2005</u> by <u>one</u> month(s) for a fee of \$120.00 so that the period for response is extended to <u>June 14, 2005</u> under 37 C.F.R. § 1.321.						
<input type="checkbox"/> The amount of \$_____ for the Terminal Disclaimer under 37 C.F.R. § 1.321 is included in the enclosed check.						
<input checked="" type="checkbox"/> The enclosed credit card payment form to charge the amount of <u>\$120.00</u> covers the total claim fee and other applicable fees.						
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge the extension fee and any additional fees which may be required, or to credit any overpayment to Account No. 19-3140. A duplicate of this sheet is enclosed.						
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
14. <input checked="" type="checkbox"/> Customer No. 26263						
Dated: <u>June 1, 2005</u>				 David R. Metzger (Registration No. 32,919)		

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.	
Dated: June 1, 2005	 Paula M. Theismann

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120.00 OP



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Motoyoshi, M.

Serial No.: 10/751,747

Filed: January 5, 2004

For: NONVOLATILE MAGNETIC MEMORY
DEVICE AND MANUFACTURING
METHOD THEREOF

Case No.: 09792909-5781

Examiner: Huynh, A.

Group Art Unit: 2818

Confirmation No. 5112

Certificate of Mailing (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450 on:

Date of Deposit: June 1, 2005

Paula M. Theismann
Paula M. Theismann

6-1-05
Date

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

S I R:

This amendment is being filed in response to the Office Action dated April 14, 2005. Please reconsider the application in view of the amendment and remarks presented below.

ELECTION OF CLAIMS

In the Office Action, the Examiner requested an election of claims pursuant to a restriction requirement under 35 U.S.C. §§121 and 372 between Group I - Claims 1-5 and Group II - Claims 6-10.

In response, Applicant hereby elects Group I - Claims 1-5 for further examination.

Respectfully submitted,

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By:

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